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10/533,323	05/02/2005	Roland Kratzer	09086-00225-US	5291
230	7590 03/19/200 BOVE LODGE & HUT	EXAMINER		
P O BOX 2207		LU, C CAIXIA		
WILMINGTON, DE 19899			ART UNIT	PAPER NUMBER
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SHORTENED STATUTOR	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary Examiner			th/			
Examiner		Application No.	Applicant(s)			
Cabria Lu		10/533,323	KRATZER, ROLAND			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of the maps be evaluated used the provision of 37 CRT 1:13(i). In no event, however, may a map'by to be may be filled used to the specifical above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the malling date of this communication. Failur to repetive by the specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the malling date of this communication. Failur to repetive by the state of the scommunication. Failur to repetive by the state of the scommunication (5) Failur to repetive by the state of the scommunication (5) Failur to repetive by the state of the scommunication (5) Failur to repetive by the state of the scommunication (5) Failur to repetive by the state of the scommunication (5) Failur to repetive by the score adaMonthOric Dist U.S. 2, 133. And the score adamonthoric Dist U.S. 2, 133. And the score adamonthoric District of the score adamonthoric District of the score adamonthoric District of the score adamonthoric District Original District of the score adamonthoric District Original District of the score adamonthoric District Original	Office Action Summary	Examiner	Art Unit			
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2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 11-22 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) is/are objected to. 7 Claim(s) is/are objected to. 8 Claim(s) is/are objected to. 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a □ accepted or b) □ objected to by the Examiner. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on is/are: a □	Status					
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 11-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kratzer et al. (WO 01/47635, its US family US 6,953,829 is referred to hereinafter for convenience).

Kratzer's Examples 1, 4, 7 and 10 demonstrate a propylene polymerization process in the presence of a catalyst prepared by (i) treating SiO₂ support (A) with N,N-dimethylbenzylamine (F), then (ii) contacting the treated support with the contacting product of trimethyl aluminum (C) and pentafluoroboronic acid (B) to provide a white support material, (iii) contact the white support material with dimethylsilanediylbis(2-methyl-4-phenylindenyl)dimethylzirconium (D) and then trimethylaluminum (E) to provide a free-flowing catalyst powder; and (iv) conducting propylene polymerization in the presence of the catalyst and triisobutylaluminum (G) (the scavenger). Kratzer's teaching anticipates the instant claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Caixia Lu whose telephone number is (571) 272-1106. The examiner can normally be reached from 9:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful and the matter is urgent, the examiner's supervisor, David Wu, can be reached at (571) 272-1114. The

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fax numbers for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-1700.

Caixia Lu, Ph. D. Primary Examiner